

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: : CASE NO: 17-12075

MARTINO M. WILSON :

DEBTOR : JUDGE BETH A. BUCHANAN

: TRUSTEE'S OBJECTION TO LATE FILED
SUPPLMENETAL PROOF OF CLAIM

Comes now the Chapter 13 Trustee, Margaret A. Burks, Esq. and respectfully objects to the claim filed by WELLS FARGO BANK, N.A. in the amount of \$902.18. See LBR 3007-1. This objection is for the supplemental arrearage claim only.

Information regarding the objection is as follows:

1. Name of Creditor: WELLS FARGO BANK, N.A.
2. Creditor' Attorney: MATTHEW MURLAND, ESQ.
3. Date Claim Filed: 2/1/18
4. Clerk Claim Number: 16
5. Grounds for Objection: Pursuant to the Agreed Order Granting Debtor's Motion to Modify Plan entered on 11/29/17 (doc. 38), the movant is permitted to file a supplemental proof of claim. If the supplemental claim is not filed within 30 days from the date of entry of said Agreed Order, then the claim will be disallowed and discharge upon completion of plan and discharge. The claim was not filed within the allotted time.

WHEREFORE, Trustee requests that the supplemental claim of the creditor be disallowed.

Respectfully submitted,

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.
Chapter 13 Trustee
Attorney No. OH 0030377

Francis J. DiCesare, Esq.
Staff Attorney
Attorney No. OH 0038798

Karolina F. Perr, Esq.
Staff Attorney
Attorney Reg No. OH 0066193

600 Vine Street, Suite 2200
Cincinnati, OH 45202
513-621-4488

mburks@cinn13.org Correspondence only
fdicesare@cinn13.org
Cincinnati@cinn13.org Court filings

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Late Filed Supplemental Proof of Claim was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **ordinary U.S. Mail** on February 9, 2018 addressed to:

MARTINO M. WILSON
Debtor
6517 GREENTREE DRIVE
CINCINNATI, OH 45224

WELLS FARGO BANK, N.A.
Creditor
DEFAULT DOCUMENT PROCESSING
MAC#N9286-01Y
1000 BLUE GENTIAN ROAD
EAGAN, MN 55121-7700
ATTENTION: CONSTANCE ELAINE PETTY

MATTHEW MURLAND, ESQ.
Creditor Counsel
SHAPIRO, VAN ESS, PHILLIPS & BARRAGATE, LLP
4805 MONTGOMERY ROAD, SUITE 320
CINCINNATI, OH 45212

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.

UNITED STATES BANKRUPTCY COURT
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DEBTOR : JUDGE BETH A. BUCHANAN

: NOTICE OF OBJECTION TO CLAIM

Margaret A. Burks, Esq. Trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to reduce, modify or eliminate your claim, then on or before thirty (30) days from the date set forth in the certificate of service for the objection to claim, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to:

Bankruptcy Office
221 East 4th Street, Atrium II, Suite 800,
Cincinnati, Ohio 45202

OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the above date.
You must also send a copy of your response either by 1) the court's ECF System or 2) by regular U.S. Mail to:
Margaret A. Burks, Esq.
Chapter 13 Trustee
600 Vine Street, Suite 2200
Cincinnati, Ohio 45202

MOLLY SLUTSKY SIMONS, ESQ.
Debtor Counsel
AMOURGIS & ASSOCIATES LLC
300 E. BUSINESS WAY, SUITE 200
CINCINNATI, OH 45241

MARTINO M. WILSON
Debtor
6517 GREENTREE DRIVE
CINCINNATI, OH 45224

US Trustee
36 East Seventh Street
Suite 2030
Cincinnati, Ohio 45202

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to claim and may enter an order reducing, modifying, or eliminating your claim without further notice or hearing.

Date: 2/9/18

/s/ Margaret A. Burks, Esq.
Margaret A. Burks, Esq.